### Department of Local Government Finance Report of Appealing Taxing Unit

The Department of Local Government Finance ("Department") has prescribed this template through which a petitioner supplies the information the Department requires pursuant to IC 6-1.1-18.5-12(c). The required information must be filed with the Department on or before **OCTOBER 21** or, **in the case of an appeal due to a shortfall** (IC 6-1.1-18.5-16), on or before **DECEMBER 30**.

Forward to the Department only this page, the individual page applicable to the appeal(s) to be considered, the certification page, and any supporting documentation. On this page, check all appeals for which you are applying, state the amount of the appeal, and submit the appropriate worksheets. Do not forward unused pages and do not submit more than one application.

This application may be submitted electronically, faxed, or mailed (see last page for details).

TAXING UNIT: \_\_\_\_\_ COUNTY: \_\_\_\_ FISCAL OFFICER: CITY/STATE/ZIP: TELEPHONE: \_\_\_\_ E-MAIL ADDRESS: \_\_\_ FINANCIAL CONSULTANT (IF APPLICABLE): \_\_\_\_\_ PLEASE INDICATE BELOW THE TYPE AND AMOUNT OF APPEAL TO BE CONSIDERED Annexation, Consolidation, or Extension of Services Three Year Growth Factor Equal to or Exceeding 2% of Statewide Growth Factor Emergency Levy Appeal (Natural disaster, an accident, or other unanticipated emergency; the Department does not consider the condition of general economic recession to be an unforeseen emergency.) Correction of Advertising, Mathematical, or Data Error Property Tax Shortfall Due to Erroneous Assessed Value

Township Borrowing for Fire and Emergency Services

### SUBMISSION INFORMATION

For consideration, <u>all submissions must include</u>, in <u>addition to the information required for the type of appeal under consideration</u>, the following:

(Please attach each item below to this petition and indicate with a  $\lceil \sqrt{\rceil}$  the items attached. If an

item has not been attached, provide an explanation for its exclusion.)
One complete package of all the below, including the appeal worksheet and the information required for the type of appeal under consideration.
Copy of cover page, appeal worksheet(s), tax rate information page, and signed certification. (Only submit the worksheet(s) that is applicable to the appeal(s) for which you are applying.)
Copy of resolution from fiscal body approving the excessive levy appeal.

#### **NOTICE**

All documentation required for specific appeal, as specified on the worksheet(s).

ONLY submissions bearing postmarks of <u>OCTOBER 21</u> or <u>DECEMBER 30</u> (for shortfall appeals only) or earlier will be considered. Note that IC 6-1.1-17-3(a)(4) requires that any request for an excessive levy appeal be published as part of the notice to taxpayers of the estimated budget. Failure to comply with IC 6-1.1-17-3(a)(4) will be cause for denial. All requests for consideration of an appeal must be specific.

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### TAX RATE INFORMATION

Total District Rate (found on Department website)	2011	2012	2013	2014 (Estimated)

Tax F	Rate Impact:	
A.	2013 net assessed value	\$
B.	Total amount of appeal(s)	\$
C.	Unit's rate impact of appeal(s) = $[B / (A/100)]$	\$ (to four decimal places)
D.	District rate impact = C / 2013 Total District Rate	\$ (to four decimal places)
	he fiscal body approve this excessive levy appeal(s)?  (Please submit resolution/ordinance	
	there any opposition or objection to the excessive levys, please provide a summary of the objection:	y appeal? Yes No
-	you advertise an excessive levy appeal(s) in Column C Yes No (Please attach copy of ensuing year's bu	

### ANNEXATION, CONSOLIDATION, OR EXTENSION OF SERVICES (IC 6-1.1-18.5-13(a)(1))

Required documentation for annexations, consolidation/modernization, and extension of services appeals:

A. All ordinances (or resolutions)

B. All fiscal impact statements

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1.	State the time	frame of annexa	tions to be conside	ered	
Δς	of March 1:			Year	
2.	budget year as	s certified by the	county auditor? (7	ncreases were granted under This question relates to increasessed value stemming for	er IC 6-1.1-18.5-3(a) for each eases in the maximum levy urom the annexation.)
	Budget Year _	Adj	ustment Made \$		
	Budget Year _	Adj	ustment Made \$		
	Budget Year _	Adj	ustment Made \$		
3.	Annexation A	ppeal Amount			
	(a) (b) (c) (d)	Line (a) – line Number of y	nts from question 2 ne (b) years attributable to	\$ o line (a) above	
	(e)	Divide line	(c) by line (d)	\$	
		unit is appealing over the period of		s, consideration will only be	e given to the average budge
4.	State for <i>each</i>	<i>year</i> for the bud	lget classification i	ndicated below the increase eets, if necessary.)	e in expenses for which the
ategory		Year	Yea	r Year _	Total
rsonnel		\$	\$	\$	\$
pplies		\$	\$	\$	\$
her		\$	\$	\$	\$
bt		\$	\$	\$	\$
pital Ou	tlay	\$	\$	\$	\$
wnship 2	Asst	\$	\$	\$	\$
tal		\$	\$	\$	\$
			-	npleted for consideration of nt in the fiscal impact states	ment for each annexation
5.	(include copie If no, please e	es of all resolution xplain the differ	n(s)/ordinance(s) a ences:	and fiscal impact statements ed and/or increased?	s)? Yes No
	(include copies If no, please expecifically, where the state of the st	es of all resolution and a second sec	en(s)/ordinance(s) a ences: vices will be neede to its rainy day fu	ed and/or increased?	or the immediately preceding
6.	(include copies If no, please expectations)  Specifically, volume that this unit to budget year?	es of all resolution explain the differ what types of ser ransferred funds Yes	n(s)/ordinance(s) a ences:  vices will be needed to its rainy day further to the needed to the neede	ed and/or increased? nd during this budget year o	or the immediately preceding
6.	(include copies If no, please expectations)  Specifically, which is the state of th	es of all resolution explain the differ what types of ser ransferred funds Yes state the amount	n(s)/ordinance(s) a ences:  vices will be needed to its rainy day further to the fund from	ed and/or increased?  nd during this budget year of which the transfer was made	or the immediately preceding
6.	(include copies If no, please expectations)  Specifically, which is the state of th	es of all resolution explain the differ what types of ser ransferred funds Yes state the amount	to its rainy day furned the fund from Amount \$ Amount \$_	ed and/or increased?  nd during this budget year of which the transfer was made	or the immediately preceding
6.	(include copies If no, please expectations)  Specifically, which is the state of th	es of all resolution explain the differ what types of ser ransferred funds Yes state the amount	to its rainy day furned the fund from Amount \$ Amount \$_	ed and/or increased?  nd during this budget year of which the transfer was made	or the immediately preceding
6.	(include copie If no, please e Specifically, v Has this unit t budget year?  If yes, please Fund	es of all resolution explain the differ what types of ser ransferred funds Yes state the amount	to its rainy day furnous No and the fund from Amount \$	ed and/or increased?  nd during this budget year of the which the transfer was made.	or the immediately preceding

# ANNEXATION, CONSOLIDATION, OR EXTENSION OF SERVICES (IC 6-1.1-18.5-13(a)(1))

#### For Consolidation or Modernization:

Amount of Appeal: \$					
1. Date of referendum approving the consolidation/modernization:/					
2. Specifically, what types of services will be needed and/or increased?					
	or the budget classific	cation indicated below	ed unit?  the increase in expenses	for which the appeal	
should be considered. (A	Attach separate sheet	s, if necessary.)			
Category	Year	Year	Year	Total	
Personnel	\$	\$	\$	\$	
Supplies	\$	\$	\$	\$	
Other	\$	\$	\$	\$	
Debt	\$	\$	\$	\$	
Capital Outlay	\$	\$	\$	\$	
Township Asst	\$	\$	\$	\$	
Total	\$	\$	\$	\$	
5. Does the total amoun	t requested match the	e amount in the fiscal	or consideration of this aprimate statement for the discal impact statements		
6. Has this unit transfer year? Yes Yes If yes, please state the a Fund Fund Fund Fund Fund Fund Yes Ye	No mount and the fund f Amount Amount	from which the transfe \$ \$		liately preceding budget	
	to transfer funds to i	its rainy day fund in th	e near future? Ye	sNo	

# <u>ANNEXATION, CONSOLIDATION, OR EXTENSION OF SERVICES</u> (IC 6-1.1-18.5-13(a)(1))

#### For Extension of Services:

Amount of Appeal: \$		-			
1. Effective date for the extension of services:/					
2. What services	What services are being extended?				
If yes, attach the 4. State for <i>each</i> :	ne approval documenta vear for the budget cla	ove the change? Y ation from that fiscal body assification indicated below separate sheets, if necess	y. w the increase in expenses	s for which the	
Category	Year	Year	Year	Total	
Personnel	\$	\$	\$	\$	
Supplies	\$	\$	\$	\$	
Other	\$	\$	\$	\$	
Debt	\$	\$	\$	\$	
Capital Outlay	\$	\$	\$	\$	
Township Asst	\$	\$	\$	\$	
Total	\$	\$	\$	\$	
5. Does the total a modernization Yes	amount requested mate (include copies of all 1	ch the amount in the fisca	nsideration of this appeal.  I impact statement for the and fiscal impact stateme		
budget year? _ If yes, please state t Fund Fund Fund	Yes No the amount and the fun A	nd from which the transfer Amount \$ Amount \$ Amount \$			
If no, does the unit plan to transfer funds to its rainy day fund in the near future? Yes No  If yes please indicate the anticipated amount: \$					

## THREE YEAR GROWTH FACTOR (IC 6-1.1-18.5-13(a)(3))

A unit qualifies to seek a three-year growth appeal if its average assessed value growth over the last three years exceeds the statewide average assessed value growth quotient ("AVGQ") for the same time period by at least 2%. The following is a description of the steps the Department takes in accordance with IC 6-1.1-18.5-13(a)(3) to determine a unit's eligibility and maximum appeal amount.

- <u>Step 1</u>: Determine the most recent three calendar years in which a general reassessment did not occur or the initial annual adjustment of the assessed value of real property under IC 6-1.1-4-4.5 did not first become effective (2012, 2011, and 2010).
- <u>Step 2</u>: Calculate the assessed value of all taxable property for the unit, plus the assessed value deducted under the inventory deduction in 2006 Pay 2007, plus the amount deducted under the homestead supplemental deduction in 2008 Pay 2009. For each of those years, divide that amount by the amount calculated for the previous year.
- Step 3: Sum the results of Step 2 and divide by three (3).
- Step 4: Add the statewide total assessed value of all taxable property for all units, plus the assessed value deducted under the inventory deduction in 2006 Pay 2007, plus the assessed value deducted for the homestead supplemental deduction in 2008 Pay 2009. For each year, divide that amount by the amount calculated for the previous year. The calculations for Steps 4 and 5 are performed below:

Statewide Averages Adjusted for Inventory and Homestead Deductions

2010 1.001 2011 0.988 2012 1.007

<u>Step 5</u>: Add the Step 4 results and divide by three (3): (1.001+0.988+1.007)/3 = 0.999.

Step 6: Divide the Step 3 results by the Step 5 results.

If Step 6 is equal to or greater than 1.02, then the unit is eligible for the appeal. The maximum amount that the Department may award in this appeal is the amount by which Step 6 exceeds the AVGQ as calculated according to IC 6-1.1-18.5-2. (This amount is 1.026 for 2014.)

### **Answer the following questions:**

- 1. Justify the financial need for the appeal. State the budget appropriation line items and amounts that cannot be funded without this increase to the maximum levy.
- 2. State precisely which of those items are the highest priority to fund.

al increase the Operating Balance (Line 11) of Budget Form 4b? Yes Nee the anticipated amount: \$ and the exceed 10% of the Operating Budget? Yes No ransferred funds to its rainy day fund during this budget year or the immediately
ransferred funds to its rainy day fund during this budget year or the immediately
ransferred funds to its rainy day fund during this budget year or the immediately
get year? Yes No
ate the amount and the fund from which the transfer was made:
Amount \$
Amount \$
Amount \$
sta

## EMERGENCY LEVY APPEAL (IC 6-1.1-18.5-13(a)(13))

1. A levy increase may be granted if a unit cannot carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by IC 6-1.1-18.5-3 due to a natural disaster, an accident, or another unanticipated emergency. **Describe the event that caused these circumstances. Please note that the Department does not consider the condition of general economic recession to be an unforeseen emergency.** 

Please respond to the following factors:

- Description of emergency.
- Demonstrated increased services.
- Demonstrated financial need.
- Detailed, reasonable administrative overhead for the current year.

The Department may consider other factors it deems relevant when evaluating such requests.

- 2. A township may apply for an emergency appeal due to an unanticipated emergency increasing the amount of township assistance requests. The following criteria are used to evaluate township requests (please respond to each factor to be considered):
  - Description of emergency.
  - Demonstrated increased services. The township, using TA-7 data from the past ten years, must show that more applicants have applied and more relief has been given this year than in past years. Include copies of the TA-7 forms for the past ten years with the application.
  - Demonstrated financial need. The township must provide financial information to demonstrate that the township assistance budget and all useable cash balances and other township assets have been exhausted.
  - Detailed, reasonable administrative overhead for the current year. The Department compares the direct assistance provided and the total disbursements from the township assistance fund. The Department will ensure that a significant portion of the disbursements were for direct assistance.

The Department may consider other factors it deems relevant when evaluating such requests.

3.	Total	amount of	the appeal:	\$
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4. Attach an ordinance/resolution from the unit executive declaring that the unit cannot carry out its governmental functions for the ensuing year.

### CORRECTION OF ADVERTISING, MATHEMATICAL, OR DATA ERROR (IC 6-1.1-18.5-14)

1. An excess levy may be granted for the correction of any advertising error, mathematical error, or error in data made at the local level for any calendar year that affects the tax rate or levy of a unit or the determination of the limitations established by IC 6-1.1-18.5-3.

Note: The correction should not be related to refunds or errors made and/or corrected due to assessment appeals. These types of "errors" are calculated via the Property Tax Shortfall Due to Erroneous Assessed Valuation appeal.

Indiana Code 6-1.1-17-1 requires the certified statement from each county auditor to the Department to contain "for counties with taxing units that cross into or intersect with other counties, the assessed valuation as shown on the most current abstract of property." This statute was intended to address situations where a county has submitted its assessed values to the Department but a neighboring county sharing a cross-county taxing unit has failed to submit assessed values to the Department. The effect of this statute does not constitute an error as contemplated by IC 6-1.1-18.5-14. Please also note that the Department will not consider appeals seeking to correct a unit's past *policy* decisions.

<u>Describe this error</u>. (The type and cause of error must be specific. Appeals requesting consideration for errors that "may" occur will not be honored.)

2.	Date on which error was identified:	
3.	State the error's impact on the ensuing year's levy. \$	
4.	Has this unit transferred funds to its rainy day fund during this budget year or the immediately preceding budget year? Yes No	
	If yes, please state the amount and the fund from which the transfer was made:	
	Fund Amount \$	
	Fund Amount \$	
	Fund Amount \$	
	If no, does the unit plan to transfer funds to its rainy day fund in the near future?Yes	No
	If yes, please indicate the anticipated amount: \$	
4.	Does this unit have a fund balance of 10% or more of its annual budget before the transfer its rainy day fund? Yes	
5.	If yes, what is the percent of fund balance?%	

### PROPERTY TAX SHORTFALL DUE TO ERRONEOUS ASSESSED VALUATION

(IC 6-1.1-18.5-16)

(Appeal is only applicable to those funds under the maximum permissible levy as determined by IC 6-1.1-18.5-3.)

1.		taxing year(s) for which this th budget year experienced a		and the amount to be conside	red for each year
	Pay_	\$	Pay	\$	
deli	inquent pay rtfall exper Complete funds with	yments or circuit breaker sho rienced. the following information t hin the maximum levy—deb	ortfalls. These amounts will to compute the amount of do to funds and cumulative fun	errors and refunds and does not not be included in the calculation less than 100% of ads do not qualify for this appoints	ation of actual certified. List only
	B, and C	can be found on the Certifie			
(A) Fu	nd	(B) Certified Levy	(C) Certified Rate	(D) Actual Distribution \$	(E) Circuit Break
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
Total		\$	\$	\$	
4.	year?  If yes, ple Fund Fund  If no, doe	anit transferred funds to its recognition. Yes No ease state the amount and the sthe unit plan to transfer funds.	e fund from which the trans Amount \$ a	the near future? Yes	
5		ase indicate the anticipated			to rainy day fund?
5.		at is the percent of fund balance		budget before the transfer to i	ts rainy day fund? Yes No
6.	Using the	forms listed below, comple	te the calculation on the ne	xt page.	
	The follow	wing information must be at	tached to this document for	the appeal to be considered:	
	(a) (b)	occurred for each taxing County Form 17TC (Ce	g district of which the unit i rtificate of County Auditor	Error) for the year(s) in which s a taxing entity. of Tax Refund Claims) for ea learly indicate the assessment	ach taxing district
	(c)	County Form 22 (Count	ry Auditor's Certificate of T shortfall (for both the June	Cax Distribution) for each year & December settlements).	r the unit is

Please highlight on the auditor's reports the pertinent information used in this calculation. Note: Use the "Net" column—penalty and interest amounts do not qualify!

### PROPERTY TAX SHORTFALL DUE TO ERRONEOUS ASSESSED VALUATION (IC 6-1.1-18.5-16)

	1			1		T	1
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
District # and Name	District Net Error Amount	District Net Refund Amount	Total District Errors & Refunds	District Rate	Unit's Rate	Units Percent of District Rate	Unit's Portion of Errors & Refunds
District ii and I vanie	Lifot 7 miount	Retuile 7 linount	Enfort & Refunds	District reace	Onit 5 Rate	Tuic	Errors & Retunds
					XXXXXXXXXX	XXXXXXXX	
Totals	i			XXXXXXXXXXX		XXX	

Notes: Column A: List all the Districts of which the unit is a part.

Column B: Enter the amount from the net column for that district from the 127CER report.

Column C: Enter the amount from the net column for that district from the 17TC report.

Column D: Add columns B and C.

Column E: This information can be found on the Department website; it is a page that is submitted with the Certified Budget Order.

Column F: This is the total rate of all qualifying funds; it is the total rate from column C of the calculation in step 2.

Column G: Divide column F by column E.

Column H: Multiply column D by column G.

# TOWNSHIP BORROWING FOR FIRE AND EMERGENCY SERVICES (I.C. 6-1.1-18.5-13(c))

1. This appeal is for a township to petition the Department for an increase to its fire fund maximum levy due to borrowing for fire and emergency services under I.C. 36-6-6-14 in either 2012 or 2013, but not both.

Year	Amount Borrowed
2012 <b>or</b> 2013	\$
2. Proof of borrowing must b	e submitted for consideration of an increase to the maximum levy.
Proof of public hearing	g for an emergency meeting
Special Executive Ord	der approving the emergency borrowing
Auditor's Certificate	of No Remonstrance
Document showing an	mount actually borrowed (i.e contract with financial institution)
IC 36-6-6-14 loan can repay that and 2016. Those three installs	ive a maximum levy increase and that borrow money to repay the the borrowed money in three installments in each of 2014, 2015, ments are outside the township's maximum levy. Does the township rowed to repay the underlying emergency fire loan over a three year

### **CERTIFICATION**

I, the undersigned, hereby certify that the attached appeal information and supporting

documentation is correct to the best of my knowledge and belief.

Signed this	day of	, 20
		(Printed Name of Fiscal Officer)
		(Signature)
		(Title)
		(Printed Name of Financial Advisor/Consultant)

Forward all information to:
Department of Local Government Finance
Budget Division – Judy Robertson
100 North Senate Avenue, Room N1058
Indianapolis, IN 46204-2211
E-mail: JRobertson@dlgf.in.gov

(Signature)

Fax: (317) 974-1629

### $\underline{\textbf{PETITION TO APPEAL FOR AN INCREASE TO THE MAXIMUM LEVY}}$

The	of the	,	
(Fiscal/Governing Body)		(Taxing Unit)	
County, State of	of Indiana, has deter	mined to file for an excess levy appeal.	
(Please check the appropriate excess le	evy appeal(s) and pro	vide the dollar amount(s) requested.)	
Annexation (IC 6-1.1-18.5-13(a)(1))		\$	
Three Year Growth (IC 6-1.1-18.5-13)	\$		
Emergency Levy Appeal (IC-1.1-18.5-	\$		
Property Tax Shortfall (IC 6-1.1-18.5-	16)	\$	
Correction of Error (IC 6-1.1-18.5-14)		\$	
Township Borrowing for Fire & Emer (IC 6-1.1-18.5-13(c))	gency Services	\$	
The fiscal/governing body of	<b>,</b> -	County, hereby resolves to	o pro
with a petition for an excess levy to the Departm	nent of Local Govern	nment Finance to increase the taxing un	it's
naximum levy.			
Adopted this day of, 7	20		
FOR	AGAINST		
ATTEST:			